

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ALAN S. HANES,

Case No. 3:25-cv-00175-MMD-CSD

Petitioner,

ORDER

v.

STATE OF NEVADA, *et al.*,

Respondents.

11 Pro se Petitioner Alan S. Hanes has filed a Petition for Writ of Habeas Corpus.
12 (ECF No. 1-1 (“Petition”)). However, Hanes has not properly commenced this action.
13 Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5 filing fee
14 is required to initiate a habeas action in a federal district court. The Court may authorize
15 an indigent prisoner to begin a habeas action without paying the \$5 fee if they submit an
16 *in forma pauperis* (“IFP”) application on the approved form and include three specific
17 documents: (a) the prisoner’s financial declaration and acknowledgement showing an
18 inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an
19 authorized prison official, and (c) a copy of the prisoner’s account statement for the 6-
20 month period prior to filing. See 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. Hanes has until
21 May 9, 2025, unless he requests more time, to either pay the \$5 filing fee or file a complete
22 IFP application.

23 In addition, Hanes did not file his Petition on the appropriate form or in substantial
24 compliance with the form but, instead, hand-wrote his Petition on blank paper. Hanes's
25 hand-written Petition fails to disclose the required information. The form is important, as
26 it provides the Court with necessary information to conduct a preliminary review.
27 Accordingly, Hanes has up to and including May 9, 2025, unless he requests more time,

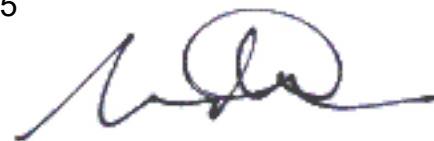
1 to file an amended petition on the Court's form.¹ In doing so, Hanes is advised to follow
2 the instructions on the form, title the amended petition as such, and place the case
3 number, 3:25-cv-00175-MMD-CSD, in the designated space.

4 It is therefore ordered that the initial screening of this matter under the Rules
5 Governing Section 2254 Cases is deferred until such time as Hanes has fully complied
6 with this Order.

7 It is further ordered that on or before May 9, 2025, Hanes must (1) file a complete
8 IFP application with the three supporting documents listed above or pay the \$5 filing fee
9 and (2) file an amended petition on the approved form. Hanes's failure to timely comply
10 with this Order will result in the dismissal of this action without prejudice and without
11 further advance notice.

12 The Clerk of Court is further directed to send Hanes (1) a blank copy of the IFP
13 application form for inmates along with instructions, and (2) a blank copy of the form
14 Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 along with instructions.

15 DATED THIS 4th Day of April 2025



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18 MIRANDA M. DU
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21 UNITED STATES DISTRICT JUDGE
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25 _____
26 ¹Hanes remains responsible at all times for calculating the applicable statute of
27 limitations. By ordering Hanes to amend his Petition, the Court makes no finding or
28 representation that either the original Petition or an amended petition will be considered
timely.